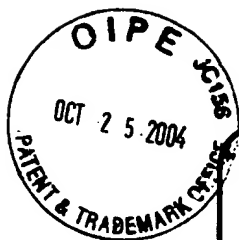


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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/258,132	
	Filing Date	26 February 1999	
	First Named Inventor	GOELET, Philip	
	Art Unit	1634	
	Examiner Name	MYERS, Carla J.	
Total Number of Pages in This Submission		Attorney Docket Number	13017-3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Receipt Acknowledgement Postcard English translation of French Patent 2,650,840
<input checked="" type="checkbox"/> Information Disclosure Statement *	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	*Supplemental Information Disclosure Statement with form PTO/SB/08 and eleven citations.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kalow & Springut LLP 488 Madison Avenue, New York, NY 10022 J. David Ellett, Jr. - Registration No.: 27,875
Signature	<i>J. David Ellett, Jr.</i>
Date	25 October 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
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Signature		Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Applicants	:	GOELET, Philip <i>et al.</i>)	
)	Examiner: MYERS, Carla J.
Application No.:		09/258,132)	
)	Group Art Unit: 1634
Filing Date	:	26 February 1999)	
)	
Title:		"Nucleic Acid Typing By Polymerase)	
		Extension of Oligonucleotides Using)	
		Terminator Mixtures")	

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

25 October 2004

Mail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR 1.97(b)(4)

SIR or MADAM:

An information disclosure statement pursuant to 37 CFR 1.97(b)(4) for the patent application identified above together with a request for continued examination (RCE) was timely submitted to the Patent and Trademark Office by mail with a certificate of mailing on 14 October 2004. Thirty patents and publications broadly related to the field of the invention of the application were identified on a Form PTO/SB/08 accompanying the information disclosure

statement. A copy of each of the thirty items identified on the Form PTO/SB/08 was submitted with the information disclosure statement of 14 October 2004 with the exception, as specifically noted in the statement, of United States patent documents and certain items which were marked on the Form PTO/SB/08 with an asterisk.

The purpose of the present supplemental information disclosure statement is to provide copies of the eight items listed below which were marked with an asterisk on the Form PTO/SB/08 submitted with the information disclosure statement of 14 October 2004 and to bring to the attention of the Patent and Trademark Office four additional items which are identified on the accompanying Form PTO/SB/08. Copies of each of the additional items cited in the accompanying Form PTO/SB/08 are being submitted with this supplemental information disclosure statement with the exception of the single United States patent document for which a copy is not required under current United States patent practice.

The following eight items, copies of which are submitted herewith, were marked with an asterisk on the Form PTO/SB/08 submitted with the 14 October 2004 information disclosure statement:

1. BOS, J. L., *et al.*, "Prevalence of *ras* gene mutations in human colorectal cancers," *Nature*, (28 May 1987) pages 293 – 297, Volume 327;
2. RALL, S. C., *et al.*, "Type III Hyperlipoproteinemia Associated with Apolipoprotein E Phenotype E3/3," *Journal of Clinical Investigation*, (April 1989), pages 1095 – 1101, Volume 83;*
3. MAHLEY, R. W., "Apolipoprotein E: Cholesterol Transport Protein with Expanding Role in Cell Biology," *Science*, (29 April 1988), pages 622 – 630, Volume 240;
4. McMAHON, G., *et al.*, "Characterization of c-Ki-*ras* oncogene alleles by direct sequencing of enzymatically amplified DNA from carcinogen-induced

* The last name of the first author of the publication: RALL, S. C., *et al.*, *Journal of Clinical Investigation*, (April 1989), pages 1095 – 1101, Volume 83; was inadvertently misidentified as "KAUS" on the Form PTO/SB/08 submitted with the information disclosure statement of 14 October 2004.

tumors,” *Proc. Natl. Acad. Sci. USA*, (July 1987), pages 4974 – 4978, Volume 84;

5. MOREL, P. A., *et al.*, “Aspartic acid at position 57 of the HLA-DQ β chain protects against type I diabetes: A family study,” *Proc. Natl. Acad. Sci. USA*, (November 1988), pages 8111 – 8115, Volume 85;
6. MULLIS, K. B., *et al.*, “[21] Specific Synthesis of DNA *in Vitro* via a Polymerase-Catalyzed Chain Reaction,” *Methods in Enzymology*, (1987), pages 335 – 350, Volume 155;
7. SCHARF, S. J., *et al.*, “HLA class II allelic variation and susceptibility to pemphigus vulgaris,” *Proc. Natl. Acad. Sci. USA*, (May 1988), pages 3504 – 3508, Volume 85; and
8. THOMSON, G. “HLA DISEASE ASSOCIATIONS: Models for Insulin Dependent Diabetes Mellitus and the Study of Complex Human Genetic Disorders,” *Annu. Rev. Genet.*, (1988), pages 31 – 50, Volume 22.

Published European patent application EP 0 412 883 A1 (“the European ‘883 published application”) identified on the Form PTO/SB/08 submitted with the information disclosure statement of 14 October 2004 was in French. However, the European ‘883 published application identifies on its face as a priority application French patent application 89/10802 (“the French ‘802 application”). According to an English translation of French patent 2,650,840 (“the French ‘840 patent”), which translation was filed with an information disclosure statement submitted for the subject application on 8 June 1999, the French ‘802 application was the parent application which matured into the French ‘840 patent. For convenience, a copy of the translation of the French ‘840 patent is being submitted with the present supplemental information disclosure statement.

The attorneys for the applicants take no position on whether or not any item listed on Form PTO/SB/08 constitutes prior art against the subject application under any particular provision of Title 35 of the United States Code.

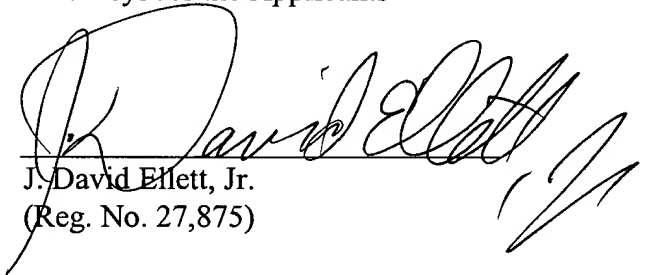
Applicant : GOELET, Philip *et al.*
Serial No.: 09/258,132
Filed : 26 February 1999
Page 4

No Office Action on the merits has been received subsequent to submission of the request for continued examination (RCE) for the subject application on 14 October 2004. It is therefore assumed that no such Office Action has been mailed and that consequently under 37 CFR 1.97(b)(4) no official fee is due for submission at this time of the present supplemental information disclosure statement. If an Office Action on the merits has in fact been mailed or if any fee is otherwise required for submission of the present supplemental information disclosure statement, please charge such fee to deposit account No. 11-0171.

Respectfully submitted,

Attorneys for the Applicants

By:


J. David Ellett, Jr.
(Reg. No. 27,875)

Telephone: (212) 813-1600

PTO/SB/08a (08-03)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	09/258,132
Filing Date	26 February 1999
First Named Inventor	GOELET, Philip
Art Unit	1634
Examiner Name	MYERS, Carla J.
Attorney Docket Number	13017-3

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date	
Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/258,132
				Filing Date	26 February 1999
				First Named Inventor	GOELET, Philip
				Art Unit	1634
				Examiner Name	MYERS, Carla J.
Sheet	2	of	2	Attorney Docket Number	13017-3

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SAIKI, R.K. et al. "Analysis of enzymatically amplified β -globin and HLA-DQ α DNA with allele-specific oligonucleotide probes" Nature (13 Nov. 1986), pages 163-166, Volume 324	
		EMI, M. et al. "Genotyping and Sequences Analysis of Apolipoprotein E. Isoforms" Genomics (1988)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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